

REMARKS

Claims 1-4 are pending in the present application. Claims 1 is herein amended. No new matter has been presented. In light of the aforementioned amendments and following remarks, Applicants earnestly solicit favorable reconsideration.

On the Merits

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kobayashi* (JP 2001-159189) in view of *Takahashi* (JP 9-184104).

Independent claim 1 recites in part:

¹a cross member disposed downstream from the guide member via a catch passage opened downwardly, having the upper end surface at a higher level than that of the downstream portion of the guide member, and extended in a crosswise direction orthogonal to the flow direction

²wherein the cross member is located so as to allow flowing water to push a waste material such as fallen leaves to the downstream side, even in a case where the flowing water contains such waste material, and thereby maintaining the catch passage in an open state....

1. Amendment of Independent Claim 1

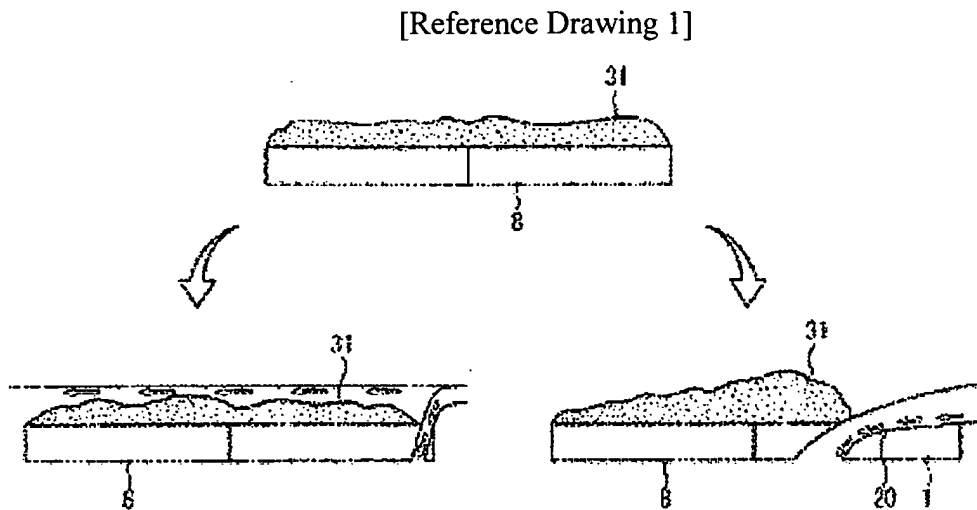
(1) New features

In order to expedite prosecution of the application, independent claim 1 was amended to include the newly added features shown above.

The newly recited claim features 1 and 2 are based on, for example, the embodiments described in the Paragraphs [0030] (part (b)) and [0024] of the specification, respectively.

(2) Technical advantages of the added features

Technical advantages provided by the above features are discussed hereinafter with reference to the "Reference Drawing 1" shown below.



In the Reference Drawing 1, the upper drawing shows that a waste material such as fallen leaves 31 has piled up on the upper surface of a grating 8.

The lower left drawing shows a conventional water collecting structure. In this case, the grating 8 is covered with the waste material almost up to its upstream end. As a result, most of the flowing water will flow over the surface of the accumulated waste material, failing to fall into the ditch, which may cause a significant decrease in the drainage performance of the water collecting structure.

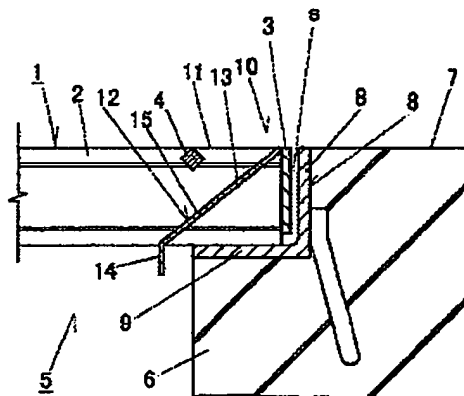
On the other hand, in the claimed invention, the cross member is disposed downstream from the guide member via the catch passage opened downwardly. This structure allows, as indicated in the lower right drawing, the flowing water to push the waste material to the downstream side,

thereby maintaining the catch passage in an open state, and thus enables the flowing water to fall into the ditch through the catch passage. Consequently, satisfactory drainage performance is ensured by the present invention, even in the case where the waste material accumulates on the grating.

2. Comparison with the Cited Reference 1

The Reference Drawing 2 is the sectional view of the grating disclosed by *Kobayashi* / JP2001-159189 (Kaneso).

[Reference Drawing 2]



As indicated in the Reference Drawing 2, in the grating of *Kobayashi*, the cross member 4 is located immediately above the guide member 14; this provides no such interspace as “the catch passage” for the present invention. Accordingly, in the case of *Kobayashi*, once the upper surface of the grating is covered with a waste material, the waste material subsequently carried by the flowing water is easily caught by the cross member 4, accumulating in the upstream part of the grating, as in the case of a conventional water collecting structure shown in the lower left drawing of the Reference Drawing 1.

As stated above, the water collecting structure disclosed in the amended Claim 1 includes the features 1 and 2 described previously, whereas such features are not mentioned in *Kobayashi* (i.e. Cited Document 1). Also, these features are not taught in the Cited Documents 2 and 3.

In conclusion, the water collecting structure disclosed in the amended Claim 1 is not obvious over *Kobayashi*, as it provides technical advantages in the drainage performance of a water collecting structure, on the basis of the features 1 and 2.

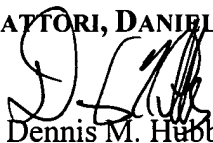
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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